

EFF. DATE:  
4/26/97

ORDINANCE NO. 3461

1702

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
BURBANK APPROVING PLANNED DEVELOPMENT NO.  
96-1 AND A DEVELOPMENT AGREEMENT RELATED  
THERE TO.

**City Attorney's Synopsis**

This Ordinance changes the Zone Map of the City of Burbank for the National Broadcasting Company, Inc. ("NBC") Studios property located immediately north of the Ventura Freeway, east of California Street, and south of Alameda Avenue, in the City of Burbank, from the MDM-1 Zone to the Planned Development Zone. A twenty year Development Agreement is also approved in this Ordinance.

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. The Council of the City of Burbank at its regular meeting of March 11, 1997, held a public hearing on Planned Development No. 96-1 applied for by the National Broadcasting Company, Inc. ("NBC") authorizing the construction of 1,825,865 office equivalent gross square feet ("OEGSF") over a twenty year period for the property located immediately north of the Ventura Freeway, east of California Street, and south of Alameda Avenue in the MDM-1 Zone.

B. Said hearing was properly noticed in accordance with the provisions of Section 31-19127 of the Burbank Municipal Code.

C. Planned Development No. 96-1 is a component of the NBC Studio Master Plan, which was analyzed in and examined in a Final Environmental Impact Report, State Clearinghouse No. 96071055 ("EIR"). In Resolution No. 24,992, the Council certified the EIR in accordance with California Environmental Quality Act ("CEQA") Guidelines §15090, adopted findings in accordance with Public Resources Code §21081 and CEQA Guidelines §15091 ("CEQA Findings"), and issued a Statement of Overriding Considerations in accordance with CEQA Guidelines §15093.

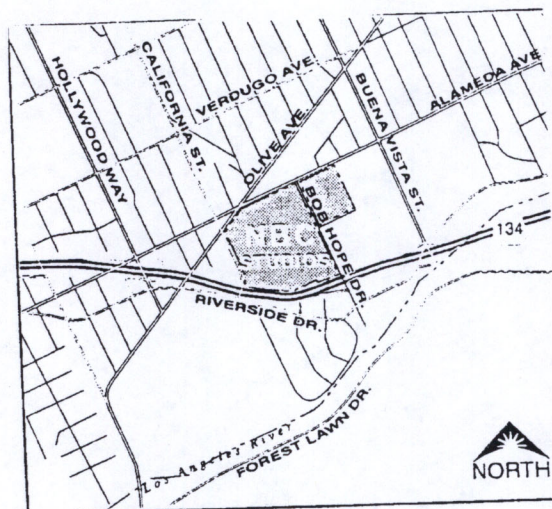
D. The Project is a unique studio development, including sound stages, media office buildings, and other facilities, which

1. The Project design is comprehensive and embraces land, buildings, landscaping, and their interrelationships, and is consistent with the General Plan.
2. The Project will provide for adequate permanent open areas, circulation, off-street parking, and pertinent pedestrian amenities. The building structures and facilities and accessory uses within the Project will be well integrated with each other and to the surrounding topographic and natural features of the area.
3. The Project is compatible with existing and planned land uses on adjoining properties.
4. Private street systems and circulation systems will be designed for the efficient and safe flow of vehicles, pedestrians, bicycles, and the handicapped, without creating a disruptive influence on the activity and functions of any area of facility. The public streets are designed using standard City lane widths, capacities, and travel speeds. The design will include adequate space and improvements for transit vehicles and facilities for bicycle and pedestrian circulation. City standard entrance control requirements will be maintained. The design of major streets will provide sidewalks, adequate street lighting, and concrete median islands on major arterial streets.
5. The Project applicant will provide compatibility of architectural design and appearance, including signage. In addition, architectural harmony with surrounding neighborhoods will be achieved by the applicant so far as is practicable.
6. An adequate variety of uses and facilities are provided in order to meet the needs of the Project and impacts upon adjacent neighborhoods are mitigated.
7. The Project and each building intended for occupancy will be designed, placed, and oriented in a manner conducive to the conservation of energy.

F. This Council considered the report and recommendations of the Community Development Director, the action and recommendations of the Planning Board as evidenced by its

THE COUNCIL OF THE CITY OF BURBANK ORDAINS:

1. The Zone Map of the City of Burbank, adopted by reference by Section 31-302 of the Burbank Municipal Code, is amended by changing the zone designation of the property described in Exhibit "A", attached hereto and incorporated by this reference, from the MDM-1 Zone to the Planned Development Zone as shown and delineated as follows:



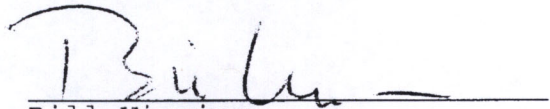
2. That certain Development Agreement (the "Agreement") by and between the City of Burbank and National Broadcasting Company, Inc., a Delaware corporation, in the form presented at this meeting and as executed by John E. O'Neill, Vice President Facilities and Corporate Sourcing, is hereby approved, and the City Manager is authorized to execute at the time this Ordinance becomes effective, and the City Clerk to attest, the Agreement on behalf of the City.

3. The findings herein are based upon the facts recited in the report from the Community Development Director dated March 11, 1997, the EIR, the CEQA Findings, the Statement of Overriding Considerations, and other documents contained in the Project file, all of which are incorporated herein by reference.

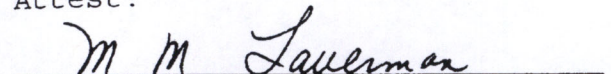
4. The City Clerk shall certify to the passage of this Ordinance and cause the title, number, date, and synopsis of this Ordinance to be published once in the Burbank Leader, a newspaper

6. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and this City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion thereof has been deleted.

PASSED and ADOPTED this 18th day of March, 1997.

  
\_\_\_\_\_  
Bill Wiggins  
Mayor of the City of Burbank

Attest:

  
\_\_\_\_\_  
Margaret M. Lauerma, City Clerk

## DESCRIPTION

1

### PARCEL 1:

LOT 1 IN BLOCK 64 OF THE RANCHO PROVIDENCIA AND SCOTT TRACT, IN THE CITY OF BURBANK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGES 47, ET SEQ. OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 2:

THAT PORTION OF LOT 2 IN BLOCK 64 OF THE RANCHO PROVIDENCIA AND SCOTT TRACT, IN THE CITY OF BURBANK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGE 47 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING SOUTH OF OLIVE AVENUE, AS SHOWN UPON SAID MAP.

### PARCEL 3:

LOTS 3 AND 4 IN BLOCK 64 OF RANCHO PROVIDENCIA AND SCOTT TRACT, IN THE CITY OF BURBANK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGES 47, ET SEQ. OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT FROM SAID LOT 3, THAT PORTION THEREOF LYING SOUTHERLY OF THE LINE DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED JULY 25, 1958 AS INSTRUMENT NO. 1857 AS HAVING A RADIUS OF 2000.00 FEET AND AN ARC DISTANCE OF 687.18 FEET.

### PARCEL 3A:

THAT PORTION OF CALIFORNIA STREET AS SHOWN ON TRACT NO. 7553, IN THE CITY OF BURBANK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 99 PAGES 16 AND 17 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, VACATED BY RESOLUTION NO. 16970 OF THE COUNCIL OF THE CITY OF BURBANK, A CERTIFIED COPY OF WHICH RECORDED DECEMBER 12, 1974 AS INSTRUMENT NO. 2739.

### PARCEL 4:

THAT PORTION OF BLOCK 65 OF RANCHO PROVIDENCIA AND SCOTT TRACT, IN THE CITY OF BURBANK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGES 47, ET SEQ. OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING SOUTHWESTERLY OF THE SOUTHWEST LINE OF SAID LINES PROLONGED, OF THE LAND DESCRIBED IN THE DEED TO SISTERS OF CHARITY OF THE HOUSE OF PROVIDENCE, ET AL, RECORDED AS INSTRUMENT NO. 1857, JULY 25, 1958.

237

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) SS.  
CITY OF BURBANK            )

I, Margaret M. Lauerman, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance No. 3461 was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the 18th day of March, 1997, by the following vote:

AYES:       Council Members Golonski, Kramer, McConkey, Spanos and Wiggins.

NOES:       Council Members None.

ABSENT:     Council Members None.

I further certify that said Synopsis was published as required by law in the Burbank Leader as a newspaper of general circulation in the City of Burbank, California on the 26th day of March, 1997.

M M Lauerman  
Margaret M. Lauerman, City Clerk